

DECLARATION OF JULIE ANN GOLDBERG

Re: *NorthPointe v. MEGMAD* | Case No. 2:22-cv-13044-GAD-DRG

1. My name is Julie Ann Goldberg. I am over 18 years of age and am the trustee for the MEGMAD FAMILY TRUST (“MEGMAD”). I am a California licensed attorney and I am admitted to the Eastern District Court for the District of Michigan. I make this declaration in support of MEGMAD’s motion to dismiss in the above-entitled matter, and if as a sworn witness I could and would completely testify to the facts below.

2. I reside in and am domiciled in the State of New York, and have been since the above entitled action was commenced in the Michigan Circuit Court for the County of Wayne. I do not live in Michigan nor am I a citizen of Michigan.

3. I am employed by the law offices of Goldberg & Associates, P.C. Goldberg & Associates, P.C. is a professional corporation, and is wholly unrelated to me as an individual, and has nothing to do with me serving as trustee for the MEGMAD trust.

4. I have never been personally served with process in Michigan or anywhere else in the above-entitled matter. I have never received mail regarding the above entitled matter to my residential address in New York.

5. The Plaintiff in this case filed a proof of service of summons in the above-entitled action in the circuit court indicating that MEGMAD was served by mail in New York on December 2, 2022. Attached as **Exhibit 1** and incorporated by reference is a true and correct copy of the proof of service of summons filed by Plaintiff in the Circuit Court for the State of Michigan, County of Wayne.

6. I am an individual and it is in my individual capacity that I serve as the trustee for the MEGMAD trust. Moreover, Goldberg & Associates, P.C. is a professional corporation and does not accept service for me in my personal capacity. Goldberg & Associates, P.C. is a separate and distinct entity and no one from Goldberg & Associates, P.C. is authorized to accept service on behalf of me individually as trustee for the MEGMAD trust.

7. I was unable to conduct a conference pursuant to L.R. 7.1, due to the extremely short time in which a response became due after removal. It was challenging enough for me to prepare these papers in a timely fashion; not only was the time in which to prepare a response to the removed complaint limited, but my ability to devote time to drafting papers was limited by my health. I have been on medical leave from Goldberg & Associates, P.C., since approximately December 1, 2022.

I declare under penalty of perjury under the laws of the State of Michigan and the United States of America that the foregoing is true and correct. Executed on the date below in Bronx, New York.

Dated: December 22, 2022

/s/ Julie Ann Goldberg
Julie Ann Goldberg

EXHIBIT 1

SUMMONS

Case No. : 22-014146-CH

PROOF OF SERVICE

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

☐ OFFICER CERTIFICATE

OR

☒ AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)

☐ I served personally a copy of the summons and complaint.

☒ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with Ex Parte Emergency Motion for Temporary Restraining Order to Winterize Unit and Halt Unapproved Construction and
List all documents served with the Summons and Complaint Notice of Lis Pendens

_____ on the defendant(s):

Defendant's name MegMad Family Trust c/o Julie Goldberg	Complete address(es) of service 5586 Broadway, 3rd Floor, Bronx, NY 10463	Day, date, time December 2, 2022

☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled \$	Fee \$	
Incorrect address fee \$	Miles traveled \$	Fee \$	Total fee \$

Deborah A. Pomber
Signature

Deborah A. Pomber

Name (type or print)

Legal Assistant

Title

Subscribed and sworn to before me on December 13, 2022,
Date

Macomb County, Michigan.

My commission expires: June 23, 2024
Date

Signature: Michelle E. Zender
Deputy court clerk/Notary public Michelle E. Zender

Notary public, State of Michigan, County of Macomb County

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

_____ on _____
Day, date, time

_____ on behalf of _____
Signature

Laverne Chapman
12/13/2022 11:29 AM
WAYNE COUNTY CLERK
Cathy M. Garrett
IN MY OFFICE
22-014146-CH FILED

Approved, SCAO

Original - Court
1st Copy - Defendant2nd Copy - Plaintiff
3rd Copy - ReturnSTATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT
WAYNE COUNTY

SUMMONS

CASE NO.
22-014146-CH
Hon. Patricia Perez Fresard

Court address : 2 Woodward Ave., Detroit MI 48226

Court telephone no.: 313-224-5173

Plaintiff's name(s), address(es), and telephone no(s)
Northpointe Townhomes Condominium
Association

v

Defendant's name(s), address(es), and telephone no(s).
MegMad Family Trust
c/o Julie Goldberg
5586 Broadway 3rd Floor
Bronx, NY 10463
310-975-9844Plaintiff's attorney, bar no., address, and telephone no
Makower Abbate Guerra Wegner Vollmer PLLC
Todd Jennings Skowronski 74301
30140 Orchard Lake Rd
Farmington Hills, MI 48334-2254

DP

248-254-7594

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court,

where it was given case number _____ and assigned to Judge _____.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date
11/29/2022Expiration date*
2/28/2023Court clerk
Jacqueline Ruff

Cathy M. Garrett- Wayne County Clerk.



*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (9/19)

SUMMONS

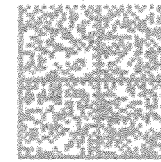
MCR 1.109(D), MCR 2.102(B), MCR 2.103, MCR 2.104, MCR 2.105



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>MegMad Family Trust c/o Julie Goldberg 5586 Broadway, 3rd Floor Bronx, NY 10463</p>	<p>B. Received by (Printed Name) </p>	<p>C. Date of Delivery 12/2/22</p>
<p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0005 9393 8578</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input checked="" type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	<p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>		



7015 0640 0005 9393 8578



Correction
US POSTAGE PAID PITNEY BOWES

ZIP 48080 \$ 028.60⁰
02 7H
0006018427 NOV 29 2022

RESTRICTED DELIVERY



23201 Jefferson Avenue • St. Clair Shores • MI 48080

MegMad Family Trust
c/o Julie Goldberg
5586 Broadway, 3rd Floor
Bronx, NY 10463

RESTRICTED DELIVERY